

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

PLAINTIFF,

CASE NO. 2:20-CV-4624

vs.

CHIEF JUDGE ALGENON L. MARBLEY

THE OHIO STATE UNIVERSITY,

DEFENDANT.

CLERK'S MEMORANDUM AS TO BILL OF COSTS

On March 9, 2023, the Defendant filed a Bill of Costs [#139]. On March 30, 2023, Plaintiff filed a Response to Defendant's Bill of Costs [#142]. On April 11, 2023, Defendant filed a Reply to Plaintiff's Response to Defendant's Bill of Costs [#149].

At this time the Clerk finds that the Bill of Costs was timely filed and there is no need for the parties to incur further appearance costs for a hearing or a telephone conference.

Fees for printed or electronically recorded transcripts

The Defendant seeks costs in the amount of \$9,021.89¹ for the fees associated with deposition transcripts of Adam Daniels, Alan Knox, Alan Knox (video), Alex Constable, Beth Brengartner, Bryan Thomas Lenzo, Cheryl Achterberg, Jacquelyn Chambers (2 volumes), Jennifer Lagnese, Jodi Renshaw, Jonathan Parry, Kristi Hoge (2 volumes) and Kristi Hoge (Corp. Designee). The Court may assess the costs of taking a deposition in favor of the

¹ 1 The actual deposition costs were \$10,021.89, but defendant moved for \$9,021.89 in their Bill of Costs on March 9, 2023.

prevailing party. Depositions used and read into the record at a hearing or at trial in direct, indirect, impeachment or rebuttal testimony can be taxed as costs. In addition, depositions that were used in successful motions for summary judgment, motions to dismiss, and motions to quash can be taxed as costs.

The invoices provided clearly indicate the costs associated with the disposition transcripts. Therefore, costs as to the deposition transcripts in the amount of \$9,021.89 are ALLOWED.

In conclusion, the Clerk has ALLOWED costs in the amount of \$ 9,021.89

Pursuant to the provisions in FRCP 54(d), a motion to review the Clerk's taxation of costs must be served within seven (7) days of the taxation of costs.

RICHARD W. NAGEL, CLERK

s/Scott E. Miller
Scott E. Miller, Case Management Supervisor